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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
WASYLCHAK, STEVEN R

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/880,387	OFFER, GERO
Office Action Summary	Examiner	Art Unit	
	Steven R. Wasylchak	3624	MU/

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 June 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-14 rejected under 35 U.S.C. 103(a) as being unpatentable over May

(US 6,317,727).

CLAIMS:

1.   An system for processing a payment transaction during auctioning

over an IP data network, comprising:

-an auction server for a network connection between a first terminal

associated with an auction supplier and a plurality of second terminals respectively

associated with a plurality of auction bidders, the auction server including a

controller;/fig 2 (54,50,32,34,38); fig 34(32,34,38); col 1, L 51 to col 2, L23, 34-39

-a payment processing device coupled to the auction server;/fig 2 (42,34,32)

-a credit memory as part of the payment processing device, the credit

memory having a plurality of first credit memory areas for storing electronic credit

balances for the plurality of auction bidders; and/fig 3 (76,74,80,90); col 13, 37-50

-May discloses comparing current bid data with respective credit data for the plurality of

auction bidders and automatically outputting an authorization signal to the controller in

the auction server in order to ascertain, as a result of the comparison, which of the

plurality of auction bidders are authorized to participate./col 3, L1-13; 42-65; col 24, L

45-65. However, May does not explicitly disclose at the block diagram level a

comparator unit as part of the payment processing device, the comparator unit

connected to both the controller of the auction server and the plurality of first

credit memory areas via a control and processing unit.

Official notice is taken that this feature is old and well known in

the electronics art.   It would have been obvious to one of

ordinary skill in the art at the time of applicant's invention to implement this

feature for the advantage of efficiently comparing signals carrying price data.

2.   A system for processing a payment transaction during auctioning

over an IP data network as claimed in claim 1, further comprising:

-a payment memory limit as part of the payment processing device, the

payment memory unit connected to the credit memory for storing and blocking a

 part of an electronic credit balance of a successful bidder which corresponds to a

highest bid./ fig 3 (20,76,80,74); col 3, L42 to col 4, L 24, col 24, L 15-24

3.   A system for processing a payment transaction during auctioning

over an IP data network as claimed in claim 1, further comprising:

-a separately addressable second credit memory area as part of the credit

memory, the second credit memory area for storing an electronic credit balance for

the auction supplier; and/fig 2 (44,30); fig 3(90)

-a separately addressable third memory area as part of the credit memory, the

third memory area for storing an electronic credit balance associated with an

auctioneer./fig 2 (44,42,34); fig 3(90)

4.   A system for processing a payment transaction during auctioning

over an IP data network as claimed in claim 3, wherein the control and processing

unit has capability to electronically credit the electronic credit balance of the

auction supplier in the second credit memory area by accessing the electronic credit

balances for the plurality of auction bidders in one of the first credit memory areas,

and also to internally electronically credit the electronic credit balance for the

auctioneer in the third credit memory area by accessing the electronic credit balance of

the supplier./fig 3 (70,76,80,90); fig 34(all)

5.   A system for processing a payment transaction during auctioning

over an IP data network as claimed in claim 1, further comprising:

a memory unit as part of the auction server, the memory unit including a

bidder memory area containing bidder identification data and a bid data memory

area containing stored bid data./ fig 15(30,40,80,90); col 12, L 17-34

6.   A system for processing a payment transaction during auctioning

over an IP data network as claimed in claim 1, further comprising:

a plurality of interfaces respectively associated with the plurality of bidder

terminals for connection to a plurality of respective bank servers and for

connection, via an authentication unit in the payment processing device, to the

credit memory in the payment processing device for crediting and debiting a

respective electronic credit balance./fig 2(52,40,42:settlement module has credit(s) and

debit(s);fig 1; fig 3 (84)

7.   A method for processing a payment transaction during auctioning

over an IP data network, the method comprising the steps of:

-storing a plurality of electronic credit balances for a respective plurality of

auction bidders in a credit memory of a payment processing device connected to an

auction server in the IP network;

-sending, via one of a supplier terminal and an auctioneer terminal, minimum

bid data to the auction server;

-storing the minimum bid data under a transaction number in a memory unit

of the auction server;

-transmitting the stored minimum bid data with the transaction number to

both a plurality of bidder terminals and, via a control and processing limit of the

payment processing device, a comparator unit in the payment processing device;

-receiving and comparing the minimum bid data, in the comparator unit,

with respective credit data for the plurality of auction bidders by accessing first

 credit memory areas of the credit memory;

-comparing, via the comparator limit, current bid data and the respective

credit data for the plurality of auction bidders at each auction stage; and

-outputting, as a result of the comparison, a selection signal to a controller in

the auction server in order to ascertain which of the plurality of auction bidders are

authorized to participate./ ALL the above refer to claim 1

8.   A method for processing a payment transaction during auctioning

over an IP data network as claimed in claim 7, the method further comprising the

step of:

-storing and blocking, in the event of a successful bid, part of an electronic

credit balance of a successful bidder under a respective transaction number and a

payment memory unit in the payment processing device./ fig 3 (20,76,80,74); col 3, L42

to col 4, L 24, col 24, L 15-24

9.   A method for processing a payment transaction during auctioning

over an IP data network as claimed in claim 7, the method further comprising the

step of:

-storing, via the credit memory in the payment processing device, electronic

credit balances both for the auction supplier in the second credit memory area and

for the auctioneer in a third credit memory area./ fig 2 (44,30); fig 3(90)

10.   A method for processing a payment transaction during auctioning

over an IP data network as claimed in claim 7, the method further comprising the

 step of:

accessing by the plurality of auction bidders, via an authentication unit in

the payment processing device, the first credit memory areas and changing

respective electronic credit balances before and during an auction./ fig

2(52,40,42:settlement module has credit(s) and debit(s);fig 1; fig 3 (84)

11.   A method for processing a payment transaction during auctioning

over an IP data network as claimed in claim 9, the method further comprising the

steps of:

-releasing, once an auction object has been delivered, the part of the

electronic credit balance of the successful bidder which is blocked in the memory

unit by at least one of the successful bidder and the supplier entering at least one of

the transaction number and a PIN; and/ col 12, L17-34; col 16, L 1-20

-crediting electronically, via the control and processing unit in the payment

processing device, the electronic credit balance of the supplier in the second credit

memory area./ fig 3 (70,76,80,90); fig 34(all)

12.   A method for processing a payment transaction during auctioning

over an IP data network as claimed in claim 9, the method further comprising the

step of:

 -lifting by the supplier, if an auction proceeding is reversed, the block on the

part of the electronic credit balance of 'the successful bidder which is to be paid by

entering the transaction number and a PIN./ fig 2 (40); fig 3 (20,76,80,74); col 3, L42 to

col 4, L 24, col 24, L 15-24

13.   A method for processing a payment transaction during auctioning

over an IP data network as claimed in claim 9, the method further comprising the

step of:

-crediting electronically the electronic credit balance for the auctioneer in the

third credit memory area by accessing the electronic credit balance for the supplier

in the second credit memory area./ fig 2 (54,50,32,34,38); fig 34(32,34,38); col 1, L 51

to col 2, L23, 34-39

14.   A method for processing a payment transaction during auctioning

over an IP data network as claimed in claim 7, the method further comprising the

step of:

accessing the credit memory area by the supplier, via the authentication

unit in the payment processing device, to change the electronic credit balance of the

supplier after the auction./ fig 2(52,40,42:settlement module adjusts credit(s) and

debit(s);fig 1; fig 3 (84)

        This action is **NON-FINAL**. Any inquiry concerning this communication or earlier

communications from the examiner should be directed to Steven R. Wasylchak whose

telephone number is (703) 308-2848.   The examiner can normally be reached on

Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art

Unit 3624 is (703) 872-9306.

        Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703)

308-1113.

Steven Wasylchak

9 / 18 / 04